

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	3:14-CR-156
	:	
v.	:	(Judge Munley)
	:	
JOSEPH WING	:	(Electronically Filed)

**MOTION TO WITHDRAW MOTION FOR SUBPOENAS
and PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

AND NOW comes the Defendant, Joseph Wing, by his attorney, Ingrid S. Cronin, Assistant Federal Public Defender, and files the following Motion to Withdraw Motion for Subpoenas and Petition for Writ of Habeas Corpus Ad Testificandum. In support thereof, it is averred as follows:

1. On June 24, 2014, Joseph Wing was charged in an Indictment with assault with attempt to commit murder, in violation of 18 U.S.C. ¶ 113(a)(1); and assault resulting in serious bodily injury, in violation of 18 U.S.C. ¶ 113(a)(6).
2. On July 23, 2014, Wing appeared before United States Magistrate Judge Thomas M. Blewitt for purposes of an initial appearance and arraignment. At that time the Federal Public Defender was appointed to represent Wing.
3. Wing has entered into a plea agreement with the government, and the presentence report has been disclosed to all parties and a plea and sentencing in this matter was scheduled for December 18, 2014, but has been continued to a future date.

4. Wing is charged with assault with intent to commit murder and assault with the intent to cause serious bodily injury.

5. Wing's plea is to Count 1 of the Indictment, assault with intent to commit murder in violation of 18 U.S.C. § 113(a)(1).

6. On December 9, 2014, Wing filed a Motion for Subpoenas. (Doc. 30). The subpoenas sought the testimony of three USP Canaan employees at sentencing.

7. On the same date, Wing filed a Petition for Writ of Habeas Corpus Ad Testificandum for inmate Clint Pickering. (Doc. 29).

7. After discussions with United States Attorney Francis P. Sempa, the parties have agreed that the testimony of the three USP Canaan employees and inmate Clint Pickering will not be necessary at Wing's sentencing hearing.

8. For the above stated reason, Wing respectfully requests that his Motion for Subpoenas and the Petition for Writ of Habeas Corpus Ad Testificandum be deemed withdrawn.

WHEREFORE, the Defendant, Joseph Wing, respectfully requests that this Honorable Court grant the within motion and that the Motion for Subpoenas and the Petition for Writ of Habeas Corpus Ad Testificandum be deemed withdrawn.

Respectfully submitted,

Date: December 19, 2014

s/Ingrid S. Cronin

Ingrid S. Cronin

Assistant Federal Public Defender

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Attorney for Joseph Wing

CERTIFICATE OF SERVICE

I, Ingrid S. Cronin, Assistant Federal Public Defender, do hereby certify that this document, the foregoing **Motion to Withdraw Motion for Subpoenas and Petition for Writ of Habeas Corpus Ad Testificandum**, filed electronically through the ECF system will be sent to the registered Participants as identified on the Notice of Electronic Filing, including the following:

Francis P. Sempa, Esquire
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Joseph Wing

Date: December 19, 2014

s/Ingrid S. Cronin

Ingrid S. Cronin

Assistant Federal Public Defender